

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MARVIN RICHARDSON

PETITIONER

v.

No. 4:05CV223-P-B

CHRISTOPHER EPPS, ET AL.

RESPONDENTS

ORDER

This matter comes before the court on the *pro se* petitioner's September 21, 2005, motion for voluntary dismissal of his petition for a writ of *habeas corpus* under /2254. The petitioner states that Inmate Legal Assistance Program personnel at the East Mississippi Correctional Facility inadvertently forwarded the instant petition when all the petitioner sought was copies of it. The court finds that the motion is well-taken and is hereby **GRANTED**. The instant petition for a writ of *habeas corpus* is hereby **DISMISSED** *without prejudice* on motion of the petitioner.

SO ORDERED, this the 18th day of October, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE